

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY LLC;
AND AT&T CORP.,

Defendants.

Case No. 2:23-cv-00202-JRG-RSP

LEAD CASE

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC.; CELLCO
PARTNERSHIP D/B/A VERIZON WIRELESS,

Defendants.

CASE NO. 2:23-cv-00203-JRG-RSP

MEMBER CASE

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

T-MOBILE USA, INC.

Defendants.

CASE NO. 2:23-cv-00204-JRG-RSP

MEMBER CASE

PLAINTIFF'S PROPOSED CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE

Plaintiff's disclosure is based on its current knowledge, understanding, and beliefs. Discovery is in its early stages, and Plaintiff has not yet completed its investigation, collection of information, or analysis. Plaintiff reserves the right to also identify and propose constructions for any terms Defendants identify for construction, even if Defendants later determine to withdraw those terms for construction by the Court. Plaintiff reserves the right to amend, revise, and/or supplement this disclosure as additional documents and information become available, and as discovery, investigation, and meet-and-confer with Defendants' counsel proceed.

For certain claim terms, Plaintiff may rely upon the expert opinions offered by experts in one or more prior litigation or IPR proceedings involving certain patents-in-suit through expert reports or declarations submitted in those proceedings, including the litigations and IPRs identified in the charts below, including without limitation Dr. Harry Bims, Branimir Vojcic, D.Sc., Dr. James Proctor, Dr. Anthony Acampora, Dr. Kevin Jeffay, Dr. Robert Akl, or Dr. Kevin J. Negus. For certain claim terms, Plaintiff may additionally rely upon the expert opinion testimony of Branimir Vojcic and/or Todor Cooklev to support its proposed claim constructions in the form of declarations filed with the Court and/or live testimony at the claim construction hearing, should the Court so desire. They may testify, if permitted, that one of ordinary skill in the art during the relevant time periods would have construed the claim terms identified by the parties for construction in the manner Plaintiff proposes, and that Plaintiff's proposed constructions are derived from the intrinsic and, where applicable, extrinsic evidence. They may also testify in rebuttal to Defendants' proposed constructions and allegations of indefiniteness. Additionally, Plaintiff may offer them for the purposes of any tutorial that the Court may choose to conduct. Additionally, Plaintiff may rely on expert opinion testimony of Defendants' experts in this proceeding. Furthermore, for certain claim terms, Plaintiff will rely on additional extrinsic evidence, including patents and reference materials identified below and/or referenced within the materials, pleadings, filings, or orders identified in other litigations or IPRs involving the patents-in-suit which are identified below.

A. U.S. Patent No. 7,177,369

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 13, 21, 32, 33, 41	“forward path pre-equalization parameter” / “determining at least one forward path pre-equalization parameter based on said at least one transmission delay”	<p>Plain and ordinary meaning, i.e., a pre-equalization parameter for modifying a forward path signal to reduce unwanted effects associated with multipath fading between the transmitter and the receiver that is determined based on said at least one multipath transmission delay.</p> <p>Defendants’ Petition and any other filings in IPR2024-00314.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p>
1	“modifying a forward path data signal that is to be transmitted to the receiving device based on said at least one forward path pre-equalization parameter”	<p>Plain and ordinary meaning, wherein “pre-equalization” has its plain and ordinary meaning, i.e., modifying a signal to reduce unwanted effects associated with multipath fading between the transmitter and the receiver.</p> <p>Defendants’ Petition and any other filings in IPR2024-00314.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p>

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 2, 9, 10, 12, 13, 15	“identifying at least one multipath transmission delay within a reverse path data signal received from a receiving device” “reverse transmission path” “reverse path data signal”	No construction necessary. Defendants’ Petition and any other filings in IPR2024-00314. Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).
12	“substantially reciprocal to”	No construction necessary. Defendants’ Petition and any other filings in IPR2024-00314. Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).
19	“a plurality of first device receive antennas”	No construction necessary. Defendants’ Petition and any other filings in IPR2024-00314. Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
21, 41	“one transmission delay”	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00314.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p>

B. U.S. Patent No. 8,289,939

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
15, 30	“wireless input/output (I/O) unit”	<p>Plain and ordinary meaning.</p> <p>Petition and any other filings in IPR2022-00958 or Defendants’ IPR on the ’939 patent</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. D-Link Systems, Inc. et al.</i>, Lead Case Nos. 8:17-cv-596-DOC (Carter, J.), including D.I. 312 Order Adopting Special Master’s Report and Recommendations Regarding Claim Construction [D.I. 280], in which the Court construed this term to have its plain and ordinary meaning.</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings in <i>XR Communications LLC v. Cisco Systems, Inc. et al.</i>, <i>Samsung Electronics Co. Ltd. et al.</i>, <i>Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (<i>see</i> Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p>

15, 30	“signal transmission/reception coordination logic”	<p>Plain and ordinary meaning; no construction necessary. Alternative proposed construction, should the term be treated as a means-plus-function limitation:</p> <p>Function:</p> <p>Claim 15: ascertaining, by monitoring the plurality of access points for received signals, that: a first access point of the plurality of access points is receiving a first signal on a first channel, a second access point of the plurality of access points is receiving a second signal that is ongoing on a second channel, restrain[ing] at least a third access point of the plurality of access points from transmitting a third signal on a third channel responsive to the ascertaining that the first access point is receiving the first signal and that the second access point is receiving the second signal that is ongoing-on the second channel, wherein the restraining at least the third access point prevents degradation to the first and second signals.</p> <p>Claim 30: ascertaining, by monitoring the plurality of access points for received signals, that a first access point of the plurality of access points is receiving a first signal on a first channel, restrain[ing] at least a second access point of the plurality of access points from transmitting a second signal on a second channel different from the first channel responsive to the ascertaining that the first access point is receiving the first signal.</p> <p>Structure: Signal transmission/reception logic 404 and/or MAC coordinator logic 606 and/or 6:1-51 and/or 6:65-7:20 and/or 9:11-59 and/or</p>
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		<p>11:19-12:21 and/or 14:28-15:22 and/or 15:23-65 and/or 16:53-67 and/or 18:12-55 and equivalents thereof.</p> <p>The corresponding structure of “signal transmission/reception logic 404” includes the characteristics and configuration set forth for the signal transmission/reception coordination logic 404 (and the MAC coordinator logic 606, which is subsumed within the corresponding structure of the signal transmission/reception coordination logic 404) in the ’939 Patent, including at 6:1-51 and/or 6:65-7:20 and/or 9:11-59 and/or 11:19-12:21 and/or 14:28-15:22 and/or 15:23-65 and/or 16:53-67 and/or 18:12-55, and equivalents thereof.</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in Proceedings in XR v. Amazon et al., Case No. 6:21-cv-620-ADA (W.D. Tex.) and XR v. D-Link et al., Case No. 8:17-cv-596-DOC(JDEx) (C.D. Cal.)</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. Cisco Systems, Inc. et al.</i>, <i>Samsung Electronics Co. Ltd. et al.</i>, <i>Microsoft Corporation</i>, Case Nos. 6:21-cv-623-ADA, 6:21-cv-626-ADA, 6:21-cv-695-ADA (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (<i>see</i> Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order construing this term to have its plain and ordinary meaning and not to invoke 112(6).</p> <p>Petition and any other filings in IPR2022-00958 or Defendants’ IPR on the ’939 patent</p>
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Claim(s)	Term	Proposed Construction and Extrinsic Evidence
		Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).
15, 30	<p>“restrain . . . responsive to the ascertaining that the first access point is receiving the first signal and that the second access point is receiving the second signal that is ongoing-on the second channel”</p> <p>“restrain . . . responsive to the ascertaining that the first access point is receiving the first signal”</p>	<p>No construction necessary.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (<i>see</i> Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order.</p> <p>Exerpts of August 23, 2022 Rebuttal Expert Report of Harry Bims, Ph.D. on Validity addressing the ’939 Patent in <i>XR Communications LLC v. D-Link Systems, Inc. et al.</i>, Lead Case Nos. 8:17-cv-596-DOC (Carter, J.).</p> <p>Petition and any other filings in IPR2022-00958 or Defendants’ IPR on the ’939 patent</p>

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
20-21, 33-34	“the access point”	<p>“the first access point”</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Petition and any other filings in IPR2022-00958 or Defendants’ IPR on the ’939 patent</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (<i>see</i> Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order.</p>

C. U.S. Patent No. 8,737,511

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 10	“bi-directional beam[]”	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00868</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p>

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 10	“n multiple-input multiple-output transceivers (MIMO)”	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00868</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (<i>see</i> Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order.</p>
1, 10, 20	<p>MIMO transmitter configured to process . . .</p> <p>“Z-th MIMO transmitter”</p> <p>“in multiple-input multiple-output transmitters (MIMO)”</p> <p>“a Z-th MIMO transmitter”</p>	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00868</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p>

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 10, 19	MIMO receiver configured to process . . . “j-th MIMO receiver” “in multiple-input multiple-output receivers (MIMO)”	No construction necessary. Defendants’ Petition and any other filings in IPR2024-00868 Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).
2, 11	“2nd Generation Partnership Project (3GPP) Long Term Evolution (LTE), 3GPP LTE-Advanced, 3GPP LTE-TDD, 3GPP LTE-FDD”	No construction necessary. Alternative proposed construction: 3rd Generation Partnership Project (3GPP) Long Term Evolution (LTE), 3GPP LTE-Advanced, 3GPP LTE-TDD, 3GPP LTE-FDD. Defendants’ Petition and any other filings in IPR2024-00868 Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).

D. U.S. Patent No. 10,715,235

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
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<p>2, 4, 8, 12, 16</p>	<p>“transmission nulls”</p>	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00613; Petition and any other filings in IPR2022-01155.</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (see Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order construing this term to have its plain and ordinary meaning, wherein the plain and ordinary meaning is “portions of one or more spatially distributed patterns of electromagnetic signals where transmissions of no or insignificant energy are selectively directed.”</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Corrected Invalidity Report of James A. Proctor, Jr., in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 25, 2023, correcting opening report dated June 20, 2023</p> <p>Rebuttal Report of Branimir Vojcic, D.Sc. Regarding Validity of the ’235 and ’376 Patents in <i>XR Communications LLC v.</i></p>
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Claim(s)	Term	Proposed Construction and Extrinsic Evidence
		<i>ASUSTeK Computer Inc.</i> , Case No. 6:21-cv-00622-ADA, dated as of July 18, 2023.

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 8, 15	<p>“the set of weighting values is configured to be used by the remote station to construct one or more beam-formed transmission signals” (Cl. 8)</p> <p>“the set of weighting values is configured to be used by the transceiver to construct one or more beam-formed transmission signals” (Cl. 1, 15)</p>	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00613; Petition and any other filings in IPR2022-01155.</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (<i>see</i> Case 6:21-cv-00623-ADA, D.I. 44) Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order construing this term to have its plain and ordinary meaning and not indefinite.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Corrected Invalidity Report of James A. Proctor, Jr., in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 25, 2023, correcting opening report dated June 20, 2023</p> <p>Rebuttal Report of Branimir Vojcic, D.Sc. Regarding Validity of the ’235 and ’376 Patents in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 18, 2023.</p>

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 15, 18, 19	“transceiver”	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00613; Petition and any other filings in IPR2022-01155.</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (see Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Corrected Invalidity Report of James A. Proctor, Jr., in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 25, 2023, correcting opening report dated June 20, 2023</p> <p>Rebuttal Report of Branimir Vojcic, D.Sc. Regarding Validity of the ’235 and ’376 Patents in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 18, 2023.</p>

Claim(s)	Term	Proposed Construction and Extrinsic Evidence
1, 15	<p>“the processor configured to: receive a [first and second] signal transmission . .</p> <p>. determine [first and second signal informations from first and second signal transmissions] . . . determine a set of weighting values based on the [first and second] signal information, wherein the set of weighting values is configured to be used by the transceiver to construct one or more beam formed transmission signals; cause the transceiver to transmit . . .”</p>	<p>No construction necessary.</p> <p>Defendants’ Petition and any other filings in IPR2024-00613; Petition and any other filings in IPR2022-01155.</p> <p>Any materials, pleadings, or orders filed, issued, or exchanged in claim construction proceedings on this term in <i>XR Communications LLC v. Cisco Systems, Inc. et al., Samsung Electronics Co. Ltd. et al., Microsoft Corporation</i>, Case Nos. 6:21-cv-623, 6:21-cv-626, 6:21-cv-695 (W.D. Tex.) (Albright, J.), including, without limitation, Plaintiff’s Claim Construction Briefing and all extrinsic evidence identified and attached thereto (see Case 6:21-cv-00623-ADA, D.I. 44), Sept. 1, 2022 Markman Hearing Transcript and Sept. 30, 2022 Markman Order.</p> <p>Based on the intrinsic record and any extrinsic evidence (including background knowledge and skill), the expert(s) will opine regarding how a POSITA would understand this term in view of the intrinsic record and any extrinsic evidence (including background knowledge and skill).</p> <p>Corrected Invalidity Report of James A. Proctor, Jr., in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 25, 2023, correcting opening report dated June 20, 2023</p> <p>Rebuttal Report of Branimir Vojcic, D.Sc. Regarding Validity of the ’235 and ’376 Patents in <i>XR Communications LLC v. ASUSTeK Computer Inc.</i>, Case No. 6:21-cv-00622-ADA, dated as of July 18, 2023.</p>

Dated: May 15, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via email per Local Rule CV-5(a)(3) on May 15, 2024.

/s/ Christian W. Conkle
Christian W. Conkle